

MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION

(831) 755-5065 P.O. BOX 180, SALINAS, CALIFORNIA 93902

NICHOLAS E. CHIULOS
EXECUTIVE OFFICER



March 7, 2001

The Honorable Robert O'Farrell
Presiding Judge of the Superior Courts
Monterey County
North Wing, Room 320, 240 Church St.
Salinas, CA 93901

Subject: Monterey County Local Agency Formation Commission Response to the 2000
Final Report of the Monterey County Civil Grand Jury

Dear Judge O'Farrell:

In responding to the 2000 Final Report of the Monterey County Civil Grand Jury, we would like to furnish the background information and responses provided below.

The Monterey County Local Agency Formation Commission (LAFCO) is one of 58 LAFCOs authorized by the Cortese-Knox-Hertzberg Act of 2000. Each County in California has a LAFCO.

The legislative intent of the Act is to encourage orderly growth and development to ensure the social, fiscal and economic well-being of the State. The Legislature recognizes that the logical formation of local agency boundaries is important in achieving that policy. LAFCOs review proposals for the formation of new local governmental agencies and changes of organization in existing agencies. The objectives of LAFCO are to encourage the orderly formation of local agencies, preserve agricultural land resources and discourage urban sprawl.

Response to Finding No. 1, Purpose and Authority

LAFCOs have the legislative authority to review, approve, approve with conditions, or disapprove proposals for the formation or modification of local agency boundaries. LAFCOs must balance development with the preservation of agricultural land and open space, discourage urban sprawl, and efficiently extend governmental services.

LAFCOs are required to have policies and procedures to guide their decisions. Monterey County LAFCO has had policies in place for almost twenty years, with revisions made from time to time. These policies provide a process for making boundary changes and creating new agencies, reviewing logical service areas, and providing for the protection of agricultural land.

LAFCO's most significant role in assuring logical growth and development is to review and consider the spheres of influence of local agencies. A sphere means the probable physical boundaries and service area of an agency. With this instrument, near term and long term growth boundaries are established. With passage of the Cortese-Knox-Hertzberg Act of 2000, LAFCO is required to review these spheres every five years. Monterey County is currently embarking upon a program to accomplish this, and will have an opportunity to improve service areas and coordinate with those agencies undergoing general plan revisions.

Response to Finding No. 2, Mission and Process

Since 1964 when Monterey County LAFCO began operating, hundreds of proposals have been approved. These have ranged from the creation of new cities and districts to minor boundary changes to include a small parcel in a district's service area. LAFCO is required to notify all affected agencies of potential changes. With the current law, LAFCO now notifies property owners and registered voters within 300 feet of the proposal.

The County currently has 12 cities and about 100 special districts. Each of these entities has a sphere of influence that was approved by LAFCO to delineate their likely service area. As each agency expanded into their designated sphere, the boundary changes were approved by LAFCO. LAFCO has reviewed boundary proposals to assure that there is a logical extension of service, that there is no duplication of service, that service capacity is available, that growth requests meet anticipated needs, that agricultural impacts are considered, and that the proposal is economically sound.

LAFCO has cooperated with adjoining counties in those cases where special districts overlap county boundary lines. Five special districts that serve portions of Monterey County are shared by Santa Cruz, San Benito and San Luis Obispo. Based on provisions in the law, some of these districts are under the authority of other LAFCOs. Duplication of effort between LAFCOs has been avoided.

Response to Finding No. 3, Impact of Cisco Systems Development

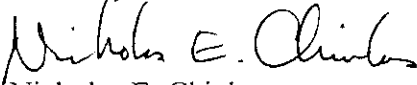
Any growth or development in cities or districts in Monterey County resulting from the Cisco Systems project may be subject to review by LAFCO. If any district or city chooses to expand to accommodate growth, those boundary changes will be subject to approval by LAFCO. If LAFCO sees a need to provide better governmental services, it has the authority to initiate certain proposals for consolidations, mergers or dissolutions. If LAFCO were to limit the sphere of influence of any district because it lacks capacity or financing to provide service, that decision may significantly affect any potential expansion of service areas.

Response to Recommendation No. 2, Cooperation

LAFCO and AMBAG have cooperated in the past and will continue to do so in the future. AMBAG has been a helpful resource for LAFCO, has conducted various conferences that LAFCO has participated in and attended, and has been a catalyst in providing coordination among multiple governmental agencies. LAFCO notifies AMBAG regularly of its actions by way of its agenda and web site.

Thank you for this opportunity to respond to the Grand Jury's comments. Should you need any additional information, please do not hesitate to call me at 755-5065. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas E. Chiulos". The signature is fluid and cursive, with the first name "Nicholas" being the most prominent part.

Nicholas E. Chiulos
Executive Officer